

116TH CONGRESS  
1ST SESSION

# H. R. 2106

To amend section 100905 of title 54, United States Code, to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2019

Mr. LATTA (for himself, Mr. COLE, Mr. RYAN, and Mr. AUSTIN SCOTT of Georgia) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend section 100905 of title 54, United States Code, to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1     **SECTION 1. ANNUAL PERMIT AND FEE FOR FILM CREWS OF**

2                 **5 PERSONS OR FEWER.**

3         (a) PURPOSE.—The purpose of the amendments  
4 made by subsection (b) is to provide commercial film crews  
5 of 5 persons or fewer access to film in areas designated  
6 for public use during public hours on Federal land and  
7 waterways.

8         (b) ACCESS FOR FILM CREWS OF 5 PERSONS OR  
9 FEWER.—Section 100905 of title 54, United States Code,  
10 is amended as follows:

11                 (1) In subsection (a)—

12                     (A) in paragraph (1), by striking “provide  
13                     a fair return to the United States” and insert  
14                     “be sufficient to cover the cost of a film permit  
15                     and other administrative and personnel costs”;  
16                     and

17                     (B) by adding at the end the following:

18                         “(3) FILM CREWS OF 5 PERSONS OR FEWER.—  
19                     For film crews of 5 persons or fewer, the Secretary  
20                     shall—

21                             “(A) assess an annual fee of not more than  
22                             \$200 for commercial filming activities or simi-  
23                             lar projects on Federal land administered by  
24                             the Secretary; and

25                             “(B) require a permit which shall be valid  
26                             for commercial filming activities or similar

1           projects that occur in areas designated for pub-  
2        lic use during public hours on all Federal land  
3        and waterways administered by the Secretary  
4        for a 1-year period beginning on the date of  
5        issuance of the permit.”.

6           (2) In subsection (c)(2), by adding at the end  
7        the following: “The fee under this paragraph for still  
8        photography crews of 5 persons or fewer shall be not  
9        more than \$200.”.

10          (3) In subsection (f), by adding at the end the  
11        following: “The Secretary shall not consider subject  
12        matter or content as a criterion for issuing or deny-  
13        ing a permit under this Act.”.

14          (4) By striking subsection (b) and redesign-  
15        nating subsections (c), (d), (e), and (f) and sub-  
16        sections (b), (c), (d), and (e), respectively.

17          (5) By adding at the end the following:

18          “(f) EXEMPTION FROM COMMERCIAL FILMING OR  
19        STILL PHOTOGRAPHY PERMITS AND FEES.—The Sec-  
20        retary shall not require persons holding commercial use  
21        authorizations or special recreation permits to obtain an  
22        additional permit or pay an additional fee for commercial  
23        filming or still photography under this section if—

24          “(1) the filming or still photography conducted  
25        is incidental to the permitted activity that is the

1       subject of the commercial use authorization or spe-  
2       cial recreation permit; and

3               “(2) the holder of the commercial use author-  
4       ization or special recreation permit is an individual  
5       or small business concern (within the meaning of  
6       section 3 of the Small Business Act (15 U.S.C.  
7       632)).

8       “(g) NEWS GATHERING ACTIVITIES.—For the pur-  
9       poses of this section, news gathering shall not be consid-  
10      ered a commercial activity.

11      “(h) DEFINITIONS.—For the purposes of this sec-  
12      tion—

13               “(1) the term ‘commercial film crew’ means any  
14       persons present on Federal land or waterways under  
15       the jurisdiction of the Secretary who are associated  
16       with the production of a film;

17               “(2) the term ‘news gathering’ includes, at a  
18       minimum, the gathering, recording, and filming of  
19       news and information related to news in any me-  
20       dium; and

21               “(3) the term ‘Secretary’ means the Secretary  
22       of the Interior or the Secretary of Agriculture, as  
23       applicable, with respect to land under the respective  
24       jurisdiction of the Secretary.”.

